

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
SHAKUR YOUNG

V

THE CITY OF NEW YORK, et al.,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/23/19

18-CV-03316(VEC)(BCM)

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S.D. OF N.Y.

**MOTION TO VACATE STATUS HEARING AND  
OTHER DEADLINES PENDING DISPOSITION OF  
MOTION TO CONSOLIDATE**

Plaintiff SHAKUR YOUNG moves this court to vacate the initial status hearing presently set for **January 16, 2019** until the U.S. District Court, Southern District of New York determines whether to **consolidate** all two patent cases filed by Plaintiff. In support of this Motion states as follows:

1. On January 12, 2019, a motion to **consolidate** the two pending patent infringement cases to this District Honorable Barbara Moses. A copy of the Motion to **consolidate** is attached as Exhibit A.
2. The Motion seeks **consolidation** for all pretrial purposes, including claim construction.
3. Because the decision of the court could significantly impact the schedule in this case, that it would be in the interest of judicial economy to vacate the **January 16, 2019** status hearing and require the parties to report to this court the result of the Southern District court's disposition of the Motion to **Consolidate**.
4. Plaintiff's draft Motion to Vacate the Status Hearing and Other Deadlines Pending Disposition of Motion to **Consolidate**, including the following request for relief:

SHAKUR YOUNG requests that the court enter an order vacating the **present January 16, 2019** status hearing, suspending the application of the local patent rules and continuing all other deadlines, with the exception of ZACHARY W. CARTER deadline to respond to the Complaint, until after Southern District of New York has ruled on the Motion to **Consolidate**, and requiring the parties to report to this court the disposition of the Motion to **Consolidate**.

5. Despite having proposed such a stay in this case, Plaintiff recently announced that it would not agree to continue deadlines in

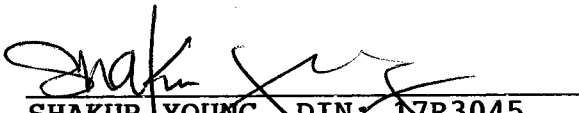
(2)

the present case for any more than 60 days.

7. If some or all of the actions are **consolidated** for pretrial purposes, any existing schedules will need to be reset to properly accommodate all parties. It simply is more efficient to wait for the Southern District of New York decision, than to proceed in piecemeal fashion now suggested by Plaintiff. Under the procedures of Southern District of New York, a prompt decision is anticipated.

**WHEREFORE**, SHAKUR YOUNG request that the court enter an order vacating the present **January 16, 2019** status hearing, suspending the application of the local patent rules, continuing all other deadlines, and staying all other proceedings in connection with this action, with the exception of ZACHARY W. CARTER's deadline to respond to the Complaint, until after the Southern District of New York has ruled on Motion to **Consolidate**, and requiring parties to report to this court the disposition of the Motion to **Consolidate**. A proposed order has been submitted to the court by U.S. Postal Mail, and has been electronically served on counsel for Defendant.

Dated: January 12, 2019

  
SHAKUR YOUNG, DIN: 17R3045  
GREENE CORRECTIONAL FACILITY  
PO BOX 975  
COXSACKIE, NEW YORK 12051

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHAKUR YOUNG

V

18-CV-3316(VEC)(BCM)

THE CITY OF NEW YORK, et al.,  
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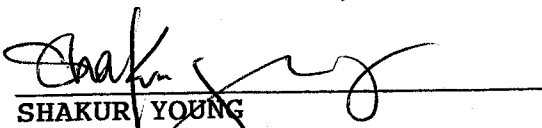
**MOTION TO CONSOLIDATE ACTIONS**

Now comes the Plaintiff SHAKUR YOUNG, and moves this court, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure to **consolidate** this cause No. 18-CV-3316(VEC)(BCM), U.S.C.A. § 1983, and grounds for this motion shows as follows:

1. This Cause No. 18-CV-3316(VEC)(BCM), pending before the Honorable Judge BARBARA MOSES, and the Plaintiff's second U.S.C.A. § 1983 which accompany this motion is a the courthouse waiting to receive a docket number and assignment of a Judge.
2. The factual distinctions between these cases are very limited and in no way conflict so as to make separate trials necessary.
3. The pretrial procedure and motions, if any, will be identical in each case, and there are common questions of law and fact.
4. In the interest of judicial economy and the avoidance of costs and delay these causes should be **consolidated**.

**WHEREFORE**, Plaintiff respectfully request that this Cause and the second cause that is currently waiting to receive a docket number be **consolidated**.

Dated: January 12, 2019

  
SHAKUR YOUNG  
Din: 17R3045  
GREENE CORRECTIONAL FACILITY  
PO BOX 975  
COXSACKIE, NY 12051-0975

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**CERTIFICATE OF SERVICE**

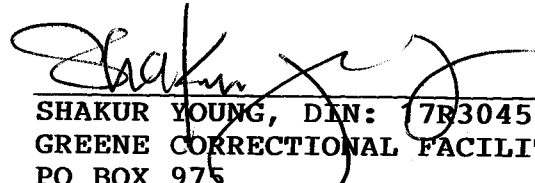
I certify that I am more than 18 years of age and that on January 12, 2019, I served a copy **Motion To Consolidate and Motion To Vacate Status Hearing and Other Deadlines Pending Disposition of Motion To Consolidate** on the following parties in this matter:

ZACHARY W. CARTER  
CORPORATION COUNSEL FOR THE CITY OF NEW YORK  
ATTORNEY FOR THE CITY OF NEW YORK  
100 CHURCH STREET, RM 3-209  
NEW YORK, NEW YORK 10007

**Mode of Service**  
U.S. POSTAL BOX  
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I certify under penalty of perjury that the foregoing is true and correct.

Dated: January 12, 2019

  
SHAKUR YOUNG, DIN: 17B3045  
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